

**AMENDMENTS TO THE CLAIMS**

**This listing of claims will replace all prior versions and listings of claims in the application:**

**LISTING OF CLAIMS:**

1. (canceled).

2. (currently amended): ~~The 5-aminolevulinic acid salt according to claim 1, which is an A 5-aminolevulinic acid phosphate salt~~ represented by the following formula (I):



wherein R<sup>1</sup> represents a hydrogen atom, an alkyl having from 1 to 18 carbon atoms, an alkenyl having from 2 to 18 carbon atoms, an aralkyl having from 7 to 26 carbon atoms or phenyl; and n is an integer of from 0 to 2; and wherein when n is 2, the plural number of R<sup>1</sup> are the same or different.

3. (original): The 5-aminolevulinic acid salt according to claim 2, wherein R<sup>1</sup> is a hydrogen atom, methyl, ethyl, *n*-butyl, hexadecyl, 2-ethylhexyl, oleyl, benzyl or phenyl.

4. (previously presented): The 5-aminolevulinic acid salt according to claim 2, which is in the form of an aqueous solution.

5. (previously presented): The 5-aminolevulinic acid salt according to claim 2, which is in the form of a solid.

6. - 11. (canceled).

12. (currently amended): A process for producing the 5-aminolevulinic acid phosphate salt according to claim 2, which comprises eluting 5-aminolevulinic acid adsorbed on a cation exchange resin, and mixing the eluate with a phosphoric acid represented by the following formula (III):



wherein R<sup>1</sup> and n are as defined above.

13. (original): The process according to claim 12, wherein the 5-aminolevulinic acid is eluted with aqueous ammonia.

14. -17. (canceled).

18. (currently amended): A composition for photodynamic treatment or photodynamic diagnosis, which comprises the 5-aminolevulinic acid phosphate salt according to claim 21.

19. (currently amended): A plant activator composition which comprises the 5-aminolevulinic acid phosphate salt according to claim 21.

20. (currently amended): A method for photodynamic treatment or photodynamic diagnosis, which comprises using-administering the 5-aminolevulinic acid phosphate salt according to claim 42 to a subject.

21. (currently amended): A method for activating a plant, which comprises using applying thea 5-aminolevulinic acid phosphate salt according to claim 12 to a plant.